

MRM:RMP

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

FRANK J. CAPORUSSO,

Defendant.

- - - - - X

REMOVAL TO THE
DISTRICT OF COLUMBIA

(Fed. R. Crim. P. 5)

20-MJ_747

EASTERN DISTRICT OF NEW YORK, SS:

IAN KANGAS, being duly sworn, deposes and states that he is a Deputy United States Marshal with the United States Marshals Service (“USMS”), duly appointed according to law and acting as such.

On or about August 26, 2020, an arrest warrant was issued in the District of Columbia for the defendant FRANK J. CAPORUSSO on an indictment, under docket number 20-cr-171 (TNM), in which the defendant is accused of Influencing, Impeding or Retaliating Against a Federal Official by Threat, in violation of Title 18, United States Code, Section 115(a)(1)(B), and Interstate Threat to Injure and Kill, in violation of Title 18, United States Code, Section 875(c).

The source of your deponent’s information and the grounds for his belief are as follows:

1. Upon information and belief, on or about May 14, 2020, the defendant FRANK J. CAPORUSSO knowingly threatened to assault and murder a United States official, to wit: a District Judge for the United States District Court for the District of

Columbia (“Victim One”), with intent to impede, intimidate or interfere with Victim One in the performance of Victim One’s official duties.

2. Also on or about May 14, 2020, the defendant FRANK J. CAPORUSSO willfully and intentionally transmitted in interstate commerce a communication, and the communication contained a threat to injure Victim One with the knowledge that the communication would be viewed as a threat.

3. On or about August 26, 2020, the defendant FRANK J. CAPORUSSO was charged in an indictment in the District of Columbia with Influencing, Impeding or Retaliating Against a Federal Official by Threat, in violation of Title 18, United States Code, Section 115(a)(1)(B), and Interstate Threat to Injure and Kill, in violation of Title 18, United States Code, Section 875(c), and a warrant for CAPORUSSO’s arrest was issued pursuant to the indictment. The indictment and arrest warrant are attached hereto.

4. The identity of the defendant FRANK J. CAPORUSSO was confirmed when he was apprehended by myself and other agents of the USMS. We arrested FRANK J. CAPORUSSO at his home, the address of which is on the arrest warrant, and which is known to be FRANK J. CAPORUSSO’s home according to public records that were reviewed in advance. It is also the address to which FRANK J. CAPORUSSO’s cellphone number is registered. FRANK J. CAPORUSSO answered the door to the house and answered to his name. I also saw his driver’s license, which shows his name and address, which match the

arrest warrant and the location of his arrest, and I saw that he was the person pictured on the license.

WHEREFORE, your deponent respectfully requests that defendant FRANK J. CAPORUSSO be dealt with according to law.



IAN KANGAS
Deputy Marshal
United States Marshals Service

Sworn to before me this
31st day of August, 2020



THE HONORABLE ANNE Y. SHIELDS
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

AO 442 (Rev 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of ColumbiaUnited States of America
v.

FRANK J. CAPORUSSO

Case No.

*Defendant***ARREST WARRANT**

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay*(name of person to be arrested)* FRANK J. CAPORUSSO,

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment
 ☐ Superseding Indictment
 ☐ Information
 ☐ Superseding Information
 ☐ Complaint
☐ Probation Violation Petition
 ☐ Supervised Release Violation Petition
 ☐ Violation Notice
 ☐ Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 115((a)(1)(B) (Influencing, Impeding, or Retaliating Against a Federal Official by Threat)

18 U.S.C. § 875(c) (Interstate Communications)

Date: 08/26/2020*Issuing officer's signature*City and state: Washington, D.C.G. MICHAEL HARVEY, U.S. Magistrate Judge*Printed name and title***Return**

This warrant was received on *(date)* _____, and the person was arrested on *(date)* _____
 at *(city and state)* _____.

Date: _____

*Arresting officer's signature**Printed name and title*

SEALED

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Holding a Criminal Term

Grand Jury Sworn in on January 8, 2020

| | | |
|---------------------------------|---|---|
| UNITED STATES OF AMERICA | : | CRIMINAL NO. |
| | : | |
| v. | : | GRAND JURY ORIGINAL |
| | : | |
| FRANK J. CAPORUSSO, | : | VIOLATIONS: |
| | : | 18 U.S.C. § 115(a)(1)(B) |
| Defendant. | : | (Influencing, Impeding, or Retaliating |
| | : | Against a Federal Official by Threat) |
| | : | 18 U.S.C. § 875(c) |
| | : | (Interstate Communications) |

INDICTMENT

The Grand Jury charges that:

Case No. 20-cr-171

Assigned to: Judge Trevor N. McFadden

Assign Date: 08/26/2020

Description: INDICTMENT (B)

COUNT ONE

On or about May 14, 2020, within the District of Columbia, the defendant, **FRANK J. CAPORUSSO**, knowingly threatened to assault and murder a United States official, namely, Victim One, District Judge for the United States District Court for the District of Columbia, with intent to impede, intimidate, or interfere with Victim One in the performance of Victim One's official duties.

(Influencing, Impeding, or Retaliating Against a Federal Official by Threat, in violation of Title 18, United States Code, Section 115(a)(1)(B))

COUNT TWO


On or about May 14, 2020, within the District of Columbia, the defendant, **FRANK J. CAPORUSSO**, willfully and knowingly did transmit in interstate commerce a communication,

and the communication contained a threat to injure the person of another, to wit, the defendant threatened to assault and kill Victim One, District Judge for the United States District Court for the District of Columbia, with the knowledge that the communication would be viewed as a threat.

(Interstate Communications, in violation Title 18, United States Code, Section 875(c))

A TRUE BILL:

FOREPERSON.


Attorney of the United States in
and for the District of Columbia.